

Appl. Serial No. 10/057,471  
Attorney Docket No. NC83635  
Page 5

**REMARKS**

Claims 14, 16-20 have been amended to more fully define the present invention. New claim 21 has been added. No new matter has been added. Support for the amendments to claim 14 can be found on page 5, lines 4-10 and page 6, line 7 of the Specification. Support for the amendment for claim 16 can be found on page 11, line 10 of the Specification. Support for the amendment to claim 17 can be found on page 6, line 7 of the Specification. Support for the amendment to claim 20 can be found on page 12, lines 19-20 of the Specification. Support for new claim 21 can be found on page 4, ln. 7, page 9, lns. 7-8 and page 12, ln. 19. Additionally, obvious spelling errors in the claims were corrected.

**Rejections under 35 USC §112**

The Examiner rejected claims 14-16 under 35 USC §112. Applicant has amended claims 14 and 16 to overcome the rejections.

**Claim Objections**

The Examiner objected to claims 15 and 20 as not further limiting the subject matter within the claims. Applicant has amended claims 14, 17 and 20 to overcome the objections.

**Rejections under 35 USC §102**

The Examiner rejected claims 14-18 and 20 under 35 USC §102(e) as anticipated by Sanderson '473 and '944, and Del Duca et al '885 and '870. Applicant has amended claims 14, 16-18 and 20 to more fully claim the present invention. Applicant believes claims 14-18 and 20, as amended herein, are not anticipated by the cited references.

Unlike the present invention that is directed to chemical and biological decontamination,

Appl. Serial No. 10/057,471  
Attorney Docket No. NC83635  
Page 6

Sanderson '473 and '944, and Del Duca et al '885 and '870 all apparently relate to cleaning compositions (Sanderson '473 relates to "washing, bleaching, or disinfection" at col. 1, lns. 8-9; Sanderson '944 relates to "cleaning, bleaching or disinfection" at col. 1, lns. 10-11; and Del Duca et al '885 and '870 relate to "pretreater" at col. 1, ln. 6 and col. 1, ln. 9, respectively). Applicant's addition of restrictive claim language of "consisting essentially of" for a decontaminating effective amount of a peroxygen compound with a bleach activator, in a ratio of from about 1.5:1 to about 4:1, further directs the pending claims to the field of decontamination.

#### Rejections under 35 USC §103

The Examiner rejected claim 19 under 35 USC §103(a) as obvious over Sanderson '473 and '944, and Del Duca et al '885 and '870. Applicant has amended claims 17 and 19 to more fully claim the present invention. Applicant believes claim 19, as amended herein, is not obvious over the cited references.

In addition to the arguments presented by Applicant immediately above, Applicant's claimed invention is directed to decontamination of chemical and biological warfare agent, and as such disclosure within the field of cleaning compositions, such as the cited references, would not be applicable to those skilled in the art of chemical and biological warfare agent decontamination.

#### Rejections under 35 USC §102

The Examiner rejected claims 14-16 under 35 USC §102(e) as anticipated by Scheuing et al '385 and '805, Zhou et al '137, Kott et al '357 or Miracle et al '098. Applicant has amended claims 14 and 16 to more fully claim the present invention. Applicant believes claims 14-16, as amended

Appl. Serial No. 10/057,471  
Attorney Docket No. NC83635  
Page 7

herein, are not anticipated by the cited references.

Unlike the present invention that is directed to chemical and biological decontamination, Scheuing et al '385 and '805, Zhou et al '137, Kott et al '357 or Miracle et al '098 all apparently relate to cleaning compositions (Scheuing et al '385 and '805, Zhou et al '137 relate to "bleaching or cleaning applications" at col. 1, lns 62-63, col. 1, lns. 62-63 and col. 1, lns. 65-66, respectively, Kott et al '357 and Miracle et al '098 relate to "laundry, automatic dishwashing and hard surface cleaning compositions" at col. 1, lns. 17-19 and col. 1, lns. 14-16, respectively). Applicant's addition of restrictive claim language of "consisting essentially of" for a decontaminating effective amount of a peroxygen compound with a bleach activator, in a ratio of from about 1.5:1 to about 4:1, further directs the pending claims to the field of decontamination.

#### Rejections under 35 USC §102

The Examiner rejected claims 14-15 under 35 USC §102(e) as anticipated by Scialla et al. '587, '585, or '187. Applicant has amended claim 14 to more fully claim the present invention. Applicant believes claims 14-15, as amended herein, are not anticipated by the cited references.

Unlike the present invention that is directed to chemical and biological decontamination, Scialla et al '587, '585, or '187 all apparently relate to cleaning compositions (Scialla et al '587 relates to a "pretreater" at col. 1, ln. 8, and Scialla et al '585 and '187 relate to "bleaching textiles" at col. 1, ln. 14 and col. 1, ln. 7, respectively). Applicant's addition of restrictive claim language of "consisting essentially of" for a decontaminating effective amount of a peroxygen compound with a bleach activator, in a ratio of from about 1.5:1 to about 4:1, further directs the pending claims to the field of decontamination.

Appl. Serial No. 10/057,471  
Attorney Docket No. NC83635  
Page 8

Rejections under 35 USC §102

The Examiner rejected claims 14, 16-18 under 35 USC §102(e) as anticipated by Choy et al '994. Applicant has amended claims 14, 16-18 to more fully claim the present invention. Applicant believes amended claims 14, 16-18 are not anticipated by the cited reference.

Unlike the present invention that is directed to chemical and biological decontamination, Choy et al '994 apparently relates to cleaning compositions (Choy et al '994 refers to "bleaching and cleaning" at col. 1, lns. 16-17). Applicant's addition of restrictive claim language of "consisting essentially of" for a decontaminating effective amount of a peroxygen compound with a bleach activator, in a ratio of from about 1.5:1 to about 4:1, further directs the pending claims to the field of decontamination.

Rejections under 35 USC §103

The Examiner rejected claims 17-20 under 35 USC §103(a) as obvious over Scheuing et al '385 and '805, Scialla et al '587, '585 or '187, Kott et al '357 or Miracle et al '098. Applicant has amended claims 17-20 to more fully claim the present invention. Applicant believes amended claims 17-20 are not anticipated by the cited references.

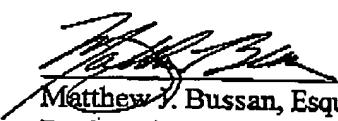
In addition to the arguments presented by Applicant under the 102 rejection of the instantly cited references, Applicant's claimed invention is directed to decontamination of chemical and biological warfare agent, and as such disclosure within the field of cleaning compositions, such as the cited references, would not be applicable to those skilled in the art of chemical and biological warfare agent decontamination.

Accordingly, Applicant requests reconsideration and allowance of claims 14-21, as amended.

Appl. Serial No. 10/057,471  
Attorney Docket No. NC83635  
Page 9

herein. The Examiner is invited to contact the attorney of record, listed below, with any questions or other matters to advance the present application.

Respectfully submitted,

  
Matthew J. Bussan, Esquire  
Registration No. 33,614

10-28-2003

Dept. Of the Navy  
NSWCDD (Code XDC1)  
17320 Dahlgren road  
Dahlgren, VA 22448-5100  
Telephone: 540-653-8061  
Facsimile: 540-653-7816